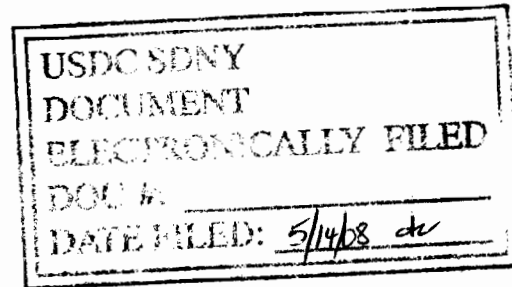


Jones

MICHAEL J. GARCIA
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Southern District of New York
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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
CASE CONSTRUCTION CO., INC.

Plaintiff,

-against-

TEAMS HOUSING DEVELOPMENT FUND
COMPANY, INC.; HARLEM TEAMS FOR
SELF-HELP, INC.; HOWARD LOEWENTHEIL,
INC.; UNITED STATES DEPARTMENT OF
HOUSING AND URBAN DEVELOPMENT; NEW
YORK STATE WORKER'S COMPENSATION
BOARD,

Defendants.
-----X

:
: STIPULATION AND ORDER
: DISMISSING THE UNITED
: STATES DEPARTMENT
: OF HOUSING AND URBAN
: DEVELOPMENT AND
: REMANDING CASE TO
: THE SUPREME COURT OF
: THE STATE OF NEW YORK
: (INDEX NO. 115211/07)
:
: 08 Civ. 0129 (BSJ)

WHEREAS, on or about November 14, 2007, plaintiff Case Construction Co. (the "plaintiff"), filed a complaint in the Supreme Court of the State of New York, County of New York, seeking to foreclose a \$500,000.00 mechanics lien and naming the United States Department of Housing and Urban Development (the "United States") as a defendant to foreclose any claim it may have to the property arising from a mortgage recorded on March 19, 1985, in the amount of \$194,600.00; and

WHEREAS, the United States has determined that it has no interest in the property and has executed and filed a discharge of mortgage; and


WHEREAS, upon dismissal of the United States as a party to this action the Court will lack subject matter jurisdiction, and, pursuant to 18 U.S.C. section 1447(c), this case should be remanded to the state court;

IT IS HEREBY STIPULATED AND AGREED, by and between the attorneys for the plaintiff and the United States, that the above-captioned action is dismissed against the United States; and it is further

STIPULATED AND AGREED that this action is remanded to the Supreme Court of the State of New York, County of New York, Case Construction Co., Inc. v. Teams Housing Development Fund Company, Index No.: 115211/07; and it further

STIPULATED AND AGREED that this stipulation may be executed in counterpart and by facsimile transmission.

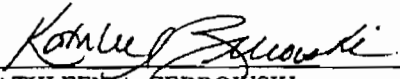
Dated: East Meadow, New York
May 12, 2008



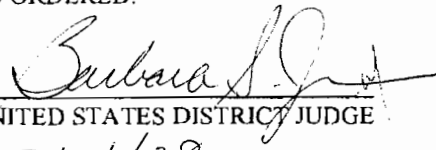
JAMES A. ROSE, ESQ.
CERTILMAN BALIN ADLER & HYMAN, LLP
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Dated: New York, New York
May 15, 2008

MICHAEL J. GARCIA
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Southern District of New York
Attorney for Defendant United States Department
of Housing and Urban Development

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SO ORDERED:


UNITED STATES DISTRICT JUDGE
5/14/08